

Ordinance No. 120693

Council Bill No. 113966

AN ORDINANCE vacating a portion of East Spring Street from the west margin of Madison Court to the west margin of 12th Avenue as established by City of Seattle Ordinance No. 17972, and of Madison Court from the north margin of East Spring Street to the southeasterly margin of East Madison Street, on the petition of Seattle University; accepting an easement for electrical utilities, and accepting an easement for sewer and water utilities (Clerk File No. 300117).

CF No. _____

Date Introduced:	NOV 19 2001		
Date 1st Referred:	NOV 19 2001	To: (committee)	
		TRANSPORTATION	
Date Re - Referred:		To: (committee)	
Date Re - Referred:		To: (committee)	
Date of Final Passage:	12-17-01	Full Council Vote:	9-0
Date Presented to Mayor:	12-18-01	Date Approved:	12/20/01
Date Returned to City Clerk:	12/21/01	Date Published:	8/8
		T.O.	<input checked="" type="checkbox"/>
		F.T.	<input checked="" type="checkbox"/>
Date Vetoed by Mayor:		Date Veto Published:	
Date Passed Over Veto:		Veto Sustained:	

The City of Seattle - Legislative Department
Council Bill/Ordinance sponsored by: _____

Committee Action

12-13-01 Pass 2-0 RM, H

12-17-01 Passed 9-0

This file is complete and ready for presentation to Full Council. Co

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Richard J. McIVER **McIVER**
Councilmember

Committee Action:

12-13-01 Pass 2-0 RM, HU

12-17-01 Passed 9-0

This file is complete and ready for presentation to Full Council.

Committee: _____
(initial/date)

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

Electronic
Copy Loaded

Indexed

*Secured
Full Text Load
Attachment A+B (min)*

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

ORDINANCE 120693

1
2 AN ORDINANCE vacating a portion of East Spring Street from the west margin of Madison Court
3 to the west margin of 12th Avenue as established by City of Seattle Ordinance No. 17972, and
4 of Madison Court from the north margin of East Spring Street to the southeasterly margin of
5 East Madison Street, on the petition of Seattle University; accepting an easement for
6 electrical utilities, and accepting an easement for sewer and water utilities (Clerk File
7 300117).

8 WHEREAS, there has been filed with the City Council the petition of Seattle University, (Clerk File
9 300117), for the vacation of portions of East Spring Street and Madison Court thereof, as
10 therein fully described; and

11 WHEREAS, following a public hearing on said petition, which commenced on April 16, 1996, said
12 petition was granted conditional approval by the City Council subject to certain conditions;
13 and

14 WHEREAS, in 2000 the Council granted additional time for Seattle University to complete the
15 conditions; and

16 WHEREAS, the petitioner has satisfied all the conditions as required by the conceptual approval; and

17 WHEREAS, pursuant to the Revised Code of Washington Section 35.79.030, and Seattle Municipal
18 Code Chapter 15.62, the petitioner has paid to the City \$850,000, which amount is one-half
19 the appraised value of the property approved for vacation according to an appraisal obtained
20 by the Director of Seattle Transportation; and Now, Therefore;

21 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

22 Section 1. That

23 East Spring Street from the west margin of Madison Court to the west margin of 12th
24 Avenue as established by City of Seattle Ordinance No. 17972; and
25 Madison Court from the north margin of East Spring Street to the southeasterly
26 margin of East Madison Street;

27 be and the same are hereby vacated; RESERVING to the City of Seattle the right to make all
necessary slope cuts or fills upon the above-described property in the reasonable original grading
of any rights-of-way abutting upon said property after said vacation.



Section 2. That the easement executed by Seattle University on the 19th day of July, 1996, King County Recording 9612160983 (Attachment A) to the City of Seattle granting access to sewer and water utilities for maintenance and repair is hereby accepted.

Section 3. That the easement executed by Seattle University on the 19th day of July, 1996, King County Recording 20010406001151 (Attachment B) to the City of Seattle for access to electrical utilities for maintenance and repair is hereby accepted.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 17th day of December, 2001, and signed by me in open session in authentication of its passage this 17th day of December, 2001.

Margaret E. Pappas

President _____ of the City Council.

Approved by me this 20th day of DECEMBER, 2001.

David Schulz

Mayor.

Filed by me this 21st day of December, 2001.

Judith E. Pappas
City Clerk.

Attachment A Sewer and Water Easement

Attachment B Electrical Easement

(SEAL)

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City of Seattle

Paul Schell, Mayor

Seattle Transportation

Daryl R. Grigsby, Director

November 14, 2001

Honorable Margaret Pageler
President, Seattle City Council
1100 Municipal Building
600 4th Avenue
Seattle, Washington 98104

VIA: Law Department

SUBJECT: Vacation of Portions of East Spring Street & Madison Court
Clerk File 300117

Honorable Margaret Pageler:

Enclosed is the Council Bill to vacate a portion of East Spring Street from the west margin of Madison Court to the west margin of 12th Avenue, as established by City of Seattle Ordinance 17972, and a portion of Madison Court from the north margin of East Spring Street to the southeasterly margin of East Madison Street (Clerk File 300117) on the petition of Seattle University (SU) and accepting easements for electrical facilities and sewer and water utilities. SU filed the petition to vacate portions of E. Spring Street and Madison Court in July of 1994.

Background

As a major institution, SU is required to prepare a Major Institution Master Plan; the City Council adopted SU's master plan in 1989 in Ordinance 114392. The SU master plan anticipated the vacation of East Spring Street and Madison Court. This street vacation involves some of the last unvacated right of way within the major institution boundaries; most of the streets within the campus were vacated from 1956 to 1985. The last street petition came before the City Council in 1985.

SU requested the vacation in order to change the character of the streets from auto-oriented public street to a pedestrian way with limited vehicular access to university buildings. Xavier Residence Hall fronts East Spring Street between Madison Court and 12th Avenue, and Lynn Nursing School fronts Madison Court Near East Madison Street. No development will occur over the existing right-of-way.

SU limited vehicular access to create a pedestrian campus-like environment for students and visitors. SU utilized signage, bollards or some other means to restrict access. Vehicular access

Seattle Municipal Building, 600 Fourth Avenue, Room 708, Seattle, WA 98104-1879
Tel: (206) 684-7623, TTY/TDD: (206) 684-4009, Fax: (206) 684-5180

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.



Honorable Margaret Pageler
November 14, 2001
Page 2

to the area now is limited to university students and staff using the adjacent buildings, and service and emergency vehicles.

Conditions

Following a public hearing on the vacation held on April 16, 1996, the Transportation Committee granted the vacation subject to the following conditions:

1. The utility issues shall be resolved to the full satisfaction of the affected utility. This may include easements, restrictive covenants, relocation agreements, or acquisition of the facilities. The expense of protecting affected utilities is the sole responsibility of the petitioner. The petitioner must satisfy the following conditions:
 - Drainage and Wastewater Utility will require easements for access to its 8" PS and 12" PS and catch basins.
 - Seattle City Light will require an easement or relocation of its facilities.
 - Seattle Water Department will require replacement of water meters and a water main in East Spring Street, if relocated.
 - Seattle University must continue to accept drainage on the site.
 - Seattle City Light requires the return of all streetlight-related items, including poles, brackets, and all related hardware, if removed.
2. The alley between Madison Court and 12th Avenue shall remain open for commercial use at all times. A turn-around may be needed at Madison Court to ensure that users of the alley do not need to back out onto 12th Avenue.
3. Seattle University shall ensure that service and emergency vehicles have adequate access to buildings adjacent to Madison Court and East Spring Street.
4. Seattle University shall continue to work with Seattle Transportation on its Transportation Management Plan. SU should work to ensure that faculty and staff are included in the TMP, and should work actively to ensure the full participation of faculty and staff in reducing SOV dependency.

Satisfaction of Conditions

The enclosed Council Bill also accepts easements that Seattle University granted to the City for sewer, water and electrical utilities. Seattle University satisfied all the conditions of the conceptual approval:

- SU granted an easement to Seattle Public Utilities for sewer facilities,
- SU granted an easement to Seattle City Light for electric facilities,

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Honorable Margaret Pageler
November 14, 2001
Page 3

- SPU relocated water meter and water main facilities at SU's expense.
- SU has agreed to accept drainage from all existing stormwater structures. There will be no changes to drainage without prior agreement from SPU.
- The alley between Madison Court and 12th Avenue remains open for commercial use with Madison Court used for an exit.
- SU's access management and emergency vehicle plan provides for removable bollards; emergency vehicles have access to keys to the campus pedestrian bollards. Service vehicles use the one-way alley access to existing building entrances.
- SU's Transportation Management Plan (TMP) continues to target faculty, staff, and student who are regular daytime commuters to campus. More than the TMP proposed minimum transit subsidy is provided to employees--65% subsidy versus 50% proposed, and students receive a 45% subsidy versus 30% proposed.

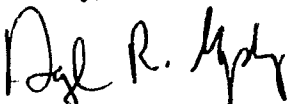
In December 1996, SU decided not to proceed with the street vacation due to a downturn in enrollment projections. The acquisition and relocation of the law school was in progress at that time, as well as the planning/programming of the Student Center in progress. SU decided to defer the Student Center and the street vacation acquisition. The Law School Project now is complete, and SU is proceeding with the Student Center project.

In October 2000, in response to SU's request for an extension to complete the street vacations, the City Council granted additional time. SU now is ready to complete the street vacation of East Spring Street and Madison Court.

Recommendation

The petitioner has satisfied all conditions of the approval. SU paid the street vacation fee of \$850,000, or one half the appraised value of East Spring Street and Madison Court. I recommend approval of this Council Bill. For more information on this file, please contact Marilyn Senour, Street Vacation Specialist at 684-7553.

Sincerely,

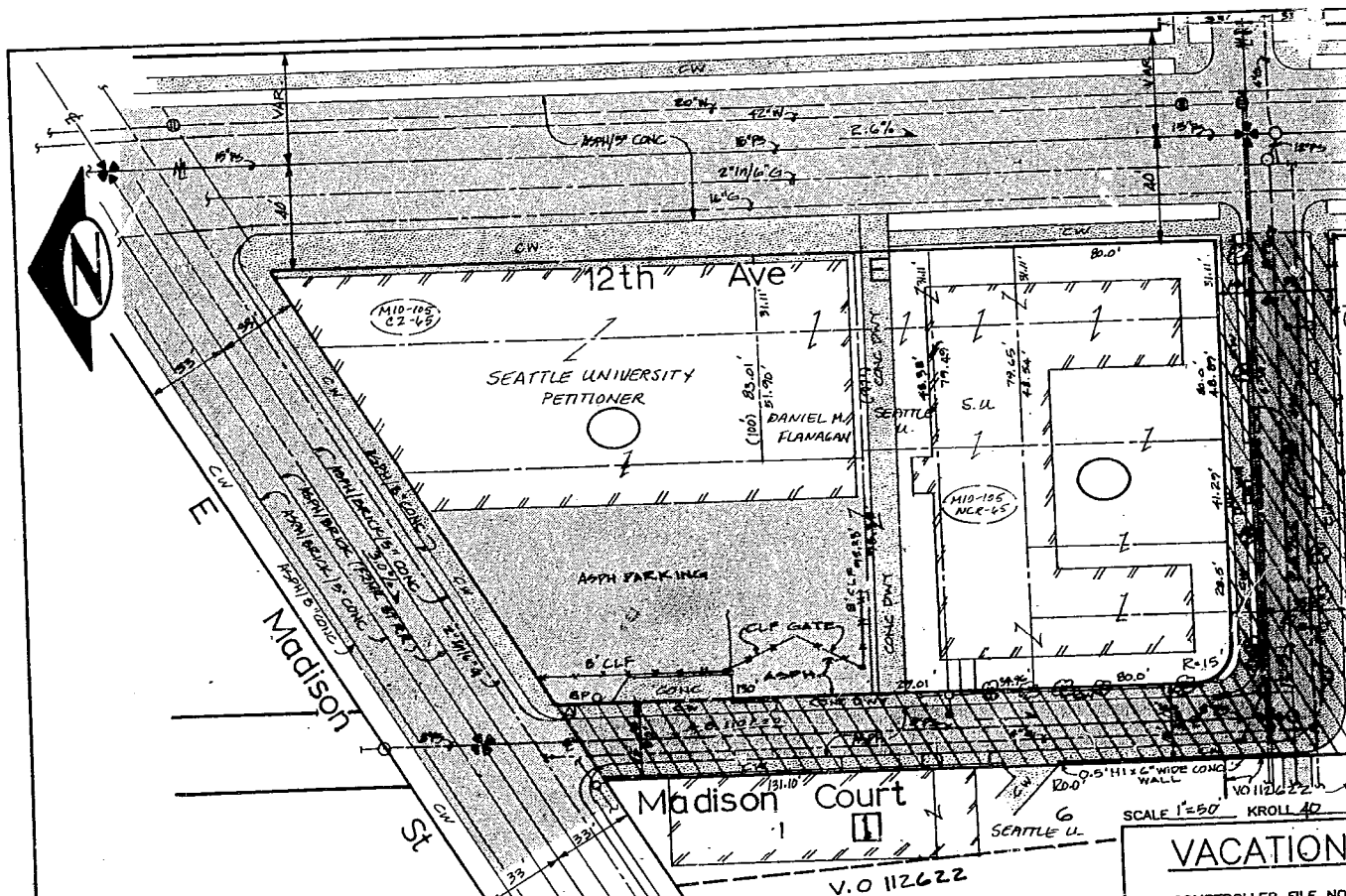

Daryl R. Grigsby, Director
Seattle Transportation

DRG/MLS:mls

Attachment



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NOTE:

OTHER UNDERGROUND UTILITIES ON MADISON ST AND E. SPRING ST ARE NOT SHOWN, AS THESE UTILITIES ARE NOT TIED TO THE UTILITIES ON THE PROPOSED STREET VACATION.

☐ MILES ADD VOL 2, PAGE 6

☐ E. WILLIAMS 5 ACRE TRACT UNPLATTED.

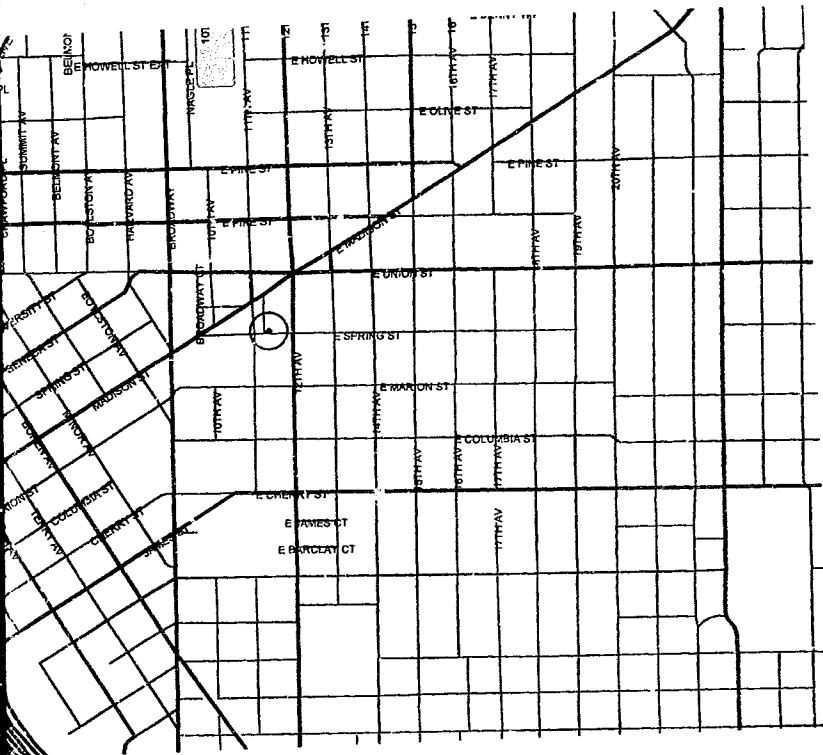
VACATION

CITY COMPTROLLER FILE NO. _____
 VACATION PETITION NO. _____
 VALID SIGNATURES INDICATED
 DISPOSITIONS:
 APPROVD. _____ DENIED. _____
 INCOMPLETE SIGNATURES INDICATED
 VACATION ORDINANCE NO. _____
 MADE BY ABC CHECKED _____

Arterials &
Resid
Princ
Minor
Colle
State

W

of Madison Court & E Spring St



Arterials & Local Streets - large scale

- Residential
- Principal Arterial
- Minor Arterial
- Collector Arterial
- State Route/Freeway



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RETURN TO:

Seattle Public Utilities
10th Floor, Dexter Horton Bldg
710 Second Avenue
Seattle, WA 98104

COPY

RW 96023
Eng. Dept.

EASEMENT

The GRANTOR, Seattle University, a not for profit corporation of the state of Washington, for and in consideration of the sum of ONE AND NO/100 DOLLAR(S) (\$1.00), the receipt of which is hereby acknowledged, hereby conveys and warrants to the GRANTEE, THE CITY OF SEATTLE, a municipal corporation of the State of Washington, an easement for sewer and water mains and related appurtenances, including, but not limited to connecting water service pipes, hydrants, valves, meters, manholes and vaults, together with the right to pass and repass thereover, by foot or vehicle, for the installation, maintenance, repair or reconstruction of the aforesaid facilities and for the reading of meters, over, under, through, across and along the following described property in Seattle, King County, Washington:

That portion of East Spring Street, from the production south of the West margin of Madison Court to the West margin of 12th Avenue as established by Ordinance No. 17972 of The City of Seattle;
TOGETHER WITH Madison Court, from the North margin of East Spring Street to the Southeasterly margin of East Madison Street;
TOGETHER WITH that portion of Madison Court and East Spring Street, as conveyed to The City of Seattle by King County Recording Number 8504100496, Records of King County, Washington, and accepted by Ordinance No. 112622 of The City of Seattle;

situate in the City of Seattle, County of King, State of Washington.

Also granting to the Grantee, its agents or assigns, the use of such additional area immediately adjacent to said easement area as shall be required for the construction, reconstruction, maintenance and operation of said facilities and/or appurtenances within the above described easement area, the use of said easement area to be held to a minimum and returned to a condition comparable to that existing immediately before the property was entered upon by Grantee or its agents.

Grantee shall have the right without prior institution of any suit or proceeding at law, at such time as may be necessary, to enter upon said easement area for the purposes herein described, without incurring any legal obligation or liability therefor, and Grantee shall not be responsible for the restoration or repair of any of Grantor's improvements within said easement area destroyed or damaged by Grantee incident to the installation, repair or reconstruction of aforesaid facilities, EXCEPT that where excavation is required in paved areas, Grantee shall backfill and restore the area using City standard pavement restoration areas.

Grantor hereby agrees that no building, fence, wall, rockery, tree, shrubbery or obstruction of any kind shall be erected or planted or permitted to remain within the boundaries of said easement area without written permission of The City of Seattle's Director of Engineering and The City of Seattle's Superintendent of Water or any other Officers or Boards who may hereafter succeed to the jurisdiction and powers in respect to said sewer and water mains. Grantor also agrees that no excavation shall be made within three feet of the sewer or water main, and that the earth cover over the water main shall be maintained at not less than 35 inches nor more than 48 inches.

This Agreement and each of the terms, provisions, conditions and covenants herein contained be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, and shall run with the land.

EXCISE TAX NOT REQUIRED
King Co. Records Division

By *[Signature]* Deputy

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9612160983

10.00

JHM KING COUNTY RECORDS DIV 11:40:00 AM

Dated this 19th of July, 19 96.

BY: *Denis Ransmeier*
Denis Ransmeier, Vice President for Finance and Administration
Seattle University

STATE OF Washington)
COUNTY OF King) ss.

I certify that I know or have satisfactory evidence that Denis Ransmeier
signed this instrument, on oath stated that (he/she/they) (was/were) authorized to execute
the instrument and acknowledged it as the Vice President for Finance & Administration
of Seattle University Corporation, to be the free
and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: July 19, 1996



James I. Adolphson
NOTARY PUBLIC in and for the State of
Washington
residing at Seattle
My appointment expires 9/23/99

APPROVED AS TO FORM ONLY
MARK H. SIDRAN
City Attorney

By *Mark H. Sidran*
Assistant City Attorney

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9612160983

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Copy

EASEMENT (Overhead and Underground)
P.M. #250432-1-004

THIS INDENTURE, made this _____ day of _____, 19____,
between SEATTLE UNIVERSITY, hereinafter called the Grantor; and the
CITY OF SEATTLE, a municipal corporation, hereinafter called the
Grantee; WITNESSETH:

That the Grantor, for and in consideration of the sum of One Dollar (1.00) and other valuable considerations, receipt of which is hereby acknowledged, hereby conveys and grants to the Grantee, its successors and assigns, the right, privilege and authority to install, construct, erect, alter, improve, repair, energize, operate and maintain electric overhead and underground distribution facilities at depths not exceeding 21 feet, which consist of poles with braces, guys and anchors, crossarms, transformers, ducts, vaults, manholes, cabinets, containers, conduits, wires and other necessary or convenient appurtenances to make said underground and overhead installations an integrated electric system. All such electric system is to be located across, over, upon and under the following described lands and premises situated in the County of King, State of Washington, to wit:

That portion of vacated East Spring Street lying between the west margin of Madison Court to the west margin of 12th Avenue as established by City of Seattle Ordinance No. 17927 and that portion of vacated Madison Court lying between the north margin of East Spring Street to the southeasterly margin of East Madison Street.

Together with the right at all times to the Grantee, its successors and assigns, of ingress to and egress from said lands across adjacent lands of the Grantor for the purpose of installing, constructing, reconstructing, repairing, renewing, altering, changing, patrolling, energizing and operating said electric system, and the right at any time to remove all or any part of said electric system from said lands.

Also the right to the Grantee, its successors and assigns, at all times to cut and trim brush, trees or other plants standing or growing upon said lands which, in the opinion of the Grantee, interfere with the maintenance or operation of the system, or constitute a menace or danger to said electric system.

The Grantor, its administrators, successors and assigns, hereby covenants and agrees that no structure or fire hazards will be erected or permitted within the above described easement area without prior written approval from the Grantee, its successors or assigns; that no digging will be done or permitted within the easement area which will in any manner disturb the facilities or their solidity or unearth any portion thereof; and that no blasting or discharge of any explosives will be permitted within fifty (50) feet of said lines and appurtenances.

It is understood and agreed that the City of Seattle, City Light Department, may grant other utilities the right and privilege to occupy and use jointly said distribution system and/or easement.

The City of Seattle, and other utilities are to be responsible, as provided by law, for any damages to the Grantor through their negligence in the construction, maintenance and operation of said electric, communication and/or other utility systems across, over, upon and under the property of said Grantor.

The rights, title, privileges and authority hereby granted shall continue and be in force until such time as the Grantee, its successors, assigns and other utilities shall permanently remove all said electric, communication, and other utility systems from

20010406001151


LEGAL DESCRIPTION
BY _____
CHK _____

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said lands or shall permanently abandon said electric, and other utility systems, at which time all such rights, title, privileges and authority hereby granted shall terminate.

IN WITNESS WHEREOF, this instrument has been executed the day and year first above written.

SEATTLE UNIVERSITY


Denis Ransmeier, Vice President
Finance and Administration

(ACKNOWLEDGMENT)

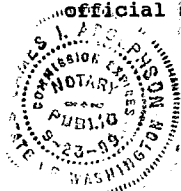
STATE OF WASHINGTON)

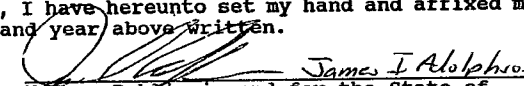
) ss.

COUNTY OF)

On this 19th day of July 1996, before me personally appeared DENIS RANSMEIER, Vice President of Finance and Administration of SEATTLE UNIVERSITY, a nonprofit corporation, to me known to be the individual who executed the within and foregoing instrument, and he acknowledged that said instrument was the free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.




James I. Adolphson
Notary Public in and for the State of
Washington, residing at Seattle
My Commission Expires: 9/23/99

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RETURN TO:

Seattle Public Utilities
10th Floor, Dexter Horton Bldg
710 Second Avenue
Seattle, WA 98104

RW 96023
Eng. Dept.

EASEMENT

The GRANTOR, **Seattle University**, a not for profit corporation of the state of Washington, for and in consideration of the sum of ONE AND NO/100 DOLLAR(S) (\$1.00), the receipt of which is hereby acknowledged, hereby conveys and warrants to the GRANTEE, **THE CITY OF SEATTLE**, a municipal corporation of the State of Washington, an easement for sewer and water mains and related appurtenances, including, but not limited to connecting water service pipes, hydrants, valves, meters, manholes and vaults, together with the right to pass and repass thereover, by foot or vehicle, for the installation, maintenance, repair or reconstruction of the aforesaid facilities and for the reading of meters, over, under, through, across and along the following described property in Seattle, King County, Washington:

That portion of East Spring Street, from the production south of the West margin of Madison Court to the West margin of 12th Avenue as established by Ordinance No. 17972 of The City of Seattle;
TOGETHER WITH Madison Court, from the North margin of East Spring Street to the Southeasterly margin of East Madison Street;
TOGETHER WITH that portion of Madison Court and East Spring Street, as conveyed to The City of Seattle by King County Recording Number 8504100496, Records of King County, Washington, and accepted by Ordinance No. 112622 of The City of Seattle;

situate in the City of Seattle, County of King, State of Washington.

Also granting to the Grantee, its agents or assigns, the use of such additional area immediately adjacent to said easement area as shall be required for the construction, reconstruction, maintenance and operation of said facilities and/or appurtenances within the above described easement area, the use of said easement area to be held to a minimum and returned to a condition comparable to that existing immediately before the property was entered upon by Grantee or its agents.

Grantee shall have the right without prior institution of any suit or proceeding at law, at such time as may be necessary, to enter upon said easement area for the purposes herein described, without incurring any legal obligation or liability therefor, and Grantee shall not be responsible for the restoration or repair of any of Grantor's improvements within said easement area destroyed or damaged by Grantee incident to the installation, repair or reconstruction of aforesaid facilities, EXCEPT that where excavation is required in paved areas, Grantee shall backfill and restore the area using City standard pavement restoration areas.

Grantor hereby agrees that no building, fence, wall, rockery, tree, shrubbery or obstruction of any kind shall be erected or planted or permitted to remain within the boundaries of said easement area without written permission of The City of Seattle's Director of Engineering and The City of Seattle's Superintendent of Water or any other Officers or Boards who may hereafter succeed to the jurisdiction and powers in respect to said sewer and water mains. Grantor also agrees that no excavation shall be made within three feet of the sewer or water main, and that the earth cover over the water main shall be maintained at not less than 35 inches nor more than 48 inches.

This Agreement and each of the terms, provisions, conditions and covenants herein contained be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, and shall run with the land.

EXCISE TAX NOT REQUIRED
King Co. Records Division
By: *[Signature]*



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9612160953

10.00

961216-0953 11:40:00 AM KING COUNTY RECORDS 003 JHM

Dated this 19th of July, 19 96.

BY: *Denis Ransmeier*
Denis Ransmeier, Vice President for Finance and Administration
Seattle University

STATE OF Washington)
COUNTY OF King) ss.

I certify that I know or have satisfactory evidence that Denis Ransmeier
signed this instrument, on oath stated that (he/she/they) (was/were) authorized to execute
the instrument and acknowledged it as the Vice President for Finance & Administration
of Seattle University Corporation, to be the free
and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: July 19, 1996



James I. Adolphson
NOTARY PUBLIC in and for the State of
Washington
residing at Seattle
My appointment expires 9/23/99

APPROVED AS TO FORM ONLY
MARK H. SIDAN
City Attorney

By *Judith B. Barbour*
Assistant City Attorney

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9612160983

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Return Address:

Seattle City Clerk's Office
600 4th Avenue, Room 104
Seattle, WA 98104



20020124002105

SEATTLE CITY CLERK
PAGE 001 OF 004
01/24/2002 14:01
KING COUNTY, WA

CITY FILED
2002 JAN -5 PM 4:31
CITY CLERK

2002 012 4002105

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)
Document Title(s) (or transaction contained therein): (all areas applicable to your document must be filled)
1. ORDINANCE # 120693

Re : of document. AN ORDINANCE vacating a portion of East Spring Street from the west margin of Madison Court to the west margin of 12th Avenue as established by City of Seattle Ordinance No. 17972, and of Madison Court from the north margin of East Spring Street to the southeasterly margin of East Madison Street, on the petition of Seattle University; accepting an easement for electrical utilities, and accepting an easement for sewer and water utilities (Clerk File 300117).

Grantor(s) (Last name first, then first name and initials) 1.City of Seattle ☐ Additional names on page-----
of document.

Grantee(s) (Last name first, then first name and initials) 1.N/A 2.

Madison Court

Legal description (abbreviated: i.e. lot, block, plat or section, township, range) ☐ Additional reference
#s on page -----of document N/A

Assessor's Property Tax Parcel/Account Number/ N/A

☐ Assessor Tax # not yet assigned.

g:\recorder.doc

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2002 012 4002105

SEATTLE
JAN 2002
VI

ORDINANCE 120693

AN ORDINANCE vacating a portion of East Spring Street from the west margin of Madison Court to the west margin of 12th Avenue as established by City of Seattle Ordinance No. 17972, and of Madison Court from the north margin of East Spring Street to the southeasterly margin of East Madison Street, on the petition of Seattle University; accepting an easement for electrical utilities, and accepting an easement for sewer and water utilities (Clerk File 300117).

WHEREAS, there has been filed with the City Council the petition of Seattle University, (Clerk File 300117), for the vacation of portions of East Spring Street and Madison Court thereof, as therein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on April 16, 1996, said petition was granted conditional approval by the City Council subject to certain conditions; and

WHEREAS, in 2000 the Council granted additional time for Seattle University to complete the conditions; and

WHEREAS, the petitioner has satisfied all the conditions as required by the conceptual approval; and

WHEREAS, pursuant to the Revised Code of Washington Section 35.79.030, and Seattle Municipal Code Chapter 15.62, the petitioner has paid to the City \$850,000, which amount is one-half the appraised value of the property approved for vacation according to an appraisal obtained by the Director of Seattle Transportation; and Now, Therefore;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

East Spring Street from the west margin of Madison Court to the west margin of 12th Avenue as established by City of Seattle Ordinance No. 17972; and
Madison Court from the north margin of East Spring Street to the southeasterly margin of East Madison Street;

be and the same are hereby vacated; RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above-described property in the reasonable original grading of any rights-of-way abutting upon said property after said vacation.

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2002 012 4002105

SEATTLE
10/20/2001
V1

Section 2. That the easement executed by Seattle University on the 19th day of July, 1996, King County Recording 9612160983 (Attachment A) to the City of Seattle granting access to sewer and water utilities for maintenance and repair is hereby accepted.

Section 3. That the easement executed by Seattle University on the 19th day of July, 1996, King County Recording 20010406001151 (Attachment B) to the City of Seattle for access to electrical utilities for maintenance and repair is hereby accepted.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 17th day of December, 2001, and signed by me in open session in authentication of its passage this 17th day of December, 2001.

Margaret E. Pappas

President of the City Council.

Approved by me this 20th day of DECEMBER, 2001.

Robert Schell

Mayor.

Filed by me this 21st day of December, 2001.

Judith E. Pappas
City Clerk.

STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

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Attachment A Sewer and Water Easement

Attachment B Electrical Easement

(SEAL)

I, JUDITH E. PAPPAS, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE 120643.

AS THE SAME APPEARS ON FILE, AND OF RECORD IN THIS DEPARTMENT.

IN WITNESS WHEREOF, I HAVE HEREunto SET MY HAND AND AFFIXED THE SEAL TO THE CITY OF SEATTLE, THIS 20th day of Jan, 2002.

JUDITH E. PAPPAS
CITY CLERK

By Margaret Carter
DEPUTY CLERK

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

[illegible]

STATE OF WASHINGTON - KING COUNTY

--SS.

140088
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:120693 ORD. IN FULL

was published on

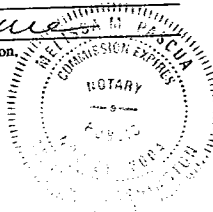
1/10/2002

G. Stedman
Subscribed and sworn to before me on

1/10/2002

Michael R. Plazure
Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

State of Washington, King County

City of Seattle

ORDINANCE 120693

AN ORDINANCE vacating a portion of East Spring Street from the west margin of Madison Court to the west margin of 12th Avenue as established by City of Seattle Ordinance No. 17972, and of Madison Court from the north margin of East Spring Street to the southeasterly margin of East Madison Street, on the margin of Seattle University, accepting an easement for electrical utilities, and accepting an easement for sewer and water utilities (Clerk File 200117).

WHEREAS, there has been filed with the City Council the petition of Seattle University (Clerk File 200117), for the vacation of portions of East Spring Street and Madison Court thereof, as therein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on April 16, 1996, said petition was granted conditional approval by the City Council subject to certain conditions; and

WHEREAS, in 2000 the Council granted additional time for Seattle University to complete the conditions; and

WHEREAS, the petitioner has satisfied all the conditions as required by the conceptual approval; and

WHEREAS, pursuant to the Revised Code of Washington Section 35.79.030, and Seattle Municipal Code Chapter 15.22, the petitioner has paid to the City \$850,000, which amount is one-half the appraised value of the property approved for vacation according to an appraisal obtained by the Director of Seattle Transportation; and Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That East Spring Street from the west margin of Madison Court to the west margin of 12th Avenue as established by City of Seattle Ordinance No. 17972; and Madison Court from the north margin of East Spring Street to the southeasterly margin of East Madison Street;

and the same are hereby vacated; RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above-described property in the reasonable original grading of any rights-of-way abutting upon said property after said vacation.

Section 2. That the easement executed by Seattle University on the 19th day of July, 1996, King County Recording 9612-160923 (Attachment A) to the City of Seattle granting access to sewer and water utilities for maintenance and repair is hereby accepted.

Section 3. That the easement executed by Seattle University on the 19th day of July, 1996, King County Recording 2001-040601151 (Attachment B) to the City of Seattle for access to electrical utilities for maintenance and repair is hereby accepted.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 17th day of December, 2001, and signed by me in open session in authentication of its passage this 17th day of December, 2001.

MARGARET FAGUOLER,
President of the City Council.
Approved by me this 20th day of December, 2001.

PAUL SCHELL,
Mayor.
Filed by me this 21st day of December, 2001.

(Seal) JUDITH E. PIPPIN,
City Clerk.
Attachment A Sewer and Water Easement.

Attachment B Electrical Easement.
Publication ordered by JUDITH PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, January 9, 2002.
1/9(140088CH)

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